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DEPARTMENT OF STATE

Washington, D.C. 20520

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March 24, 1971

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MEMORANDUM FOR MR. HENRY A. KISSINGER
THE WHITE HOUSE

Subject: Renunciation of Force Agreement
with PRC

In response to your memorandum of March 17, I am attaching a study prepared in the Department of State on a possible renunciation of force agreement with the People's Republic of China. The study provides additional information to be considered in connection with NSSM 106.

Theodore L. Eliot, Jr.
Executive Secretary

Enclosure:
As stated.

Declassified Released on 9/16/96
under provisions of E.O. 13526
by J. Saunders, National Security Council

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US-CHINA: RENUNCIATION OF FORCE

We would view a renunciation of force agreement as a symbolic registering of an improvement in US-PRC relations which would follow and reflect such an improvement. A possible text and discussion of factors which would have to be taken into account follow:

I. Text of the Declaration

The following language, based on Article 2 of the United Nations Charter, could serve as the basis of a declaration:

The Government of the United States of America and the Government of the People's Republic of China hereby declare their determination to settle all disputes which may arise between the two nations without resort to force or the threat of force, including nuclear force. As part of this declaration, both Governments declare their resolve to refrain from the use or threat of force, including nuclear force, against the territorial integrity or political independence of any state.

II. Purpose and Timing

A. Purpose: The major purpose of the declaration would be political. Chinese agreement to it would symbolize a major change in US-PRC relations. The declaration is silent on the issue of Taiwan. Both sides would thus have to agree tacitly to disagree on this issue, and postponing its resolution would be an important step forward in US-PRC relations.

It would not add to US commitments, since the PRC would be adhering to principles we already subscribe to in the UN Charter.

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B. Timing: Any US initiative on this issue should await the reopening of the Warsaw Talks. Therefore, possible timing would depend very much on the Chinese. It seems unlikely that the Chinese would agree to resume the talks at Warsaw (or elsewhere) until the operation in Laos has wound down and until announcement of additional troop withdrawals from Viet Nam.

We would not propose that a renunciation of force agreement be broached to the Chinese as soon as the Warsaw Talks resume. After Chinese reaction to other proposals has shown whether Peking was seriously interested in improved relations, we could determine how and when to proceed.

Depending on the foregoing, we should take into account the following factors in considering how best to proceed:

-- The possible desirability (from the standpoint of US/PRC relations) of broaching the subject at a point in time when we might best capitalize on our diminishing involvement in Indochina and signal to the PRC our desire for a more stable situation in the future.

-- The probably lengthy period required to explore and possibly conclude the proposed agreement once the subject had been raised.

-- The need, if an agreement appeared likely, to lay the groundwork with our Asian allies in order to minimize any possibility of misunderstanding or adverse reaction.

-- In this connection, issuing a public reaffirmation that the agreement did not affect our commitment to the GRC (or our commitment to others).

III. Reactions

A. PRC Reaction: It is not possible to predict with confidence how Peking might react to a proposed agreement along the foregoing lines.

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The possibility of such an agreement was raised by the PRC in 1955 in the bilateral ambassadorial talks. The US at that time believed an explicit statement covering Taiwan should be included in any agreement. The PRC position then hardened.

The text suggested above would seek to set aside the Taiwan issue. An important indicator of Peking's attitude would be whether and how it raised the Taiwan question. If Peking immediately claimed that the agreement would not apply to Taiwan, we would have to assume that the PRC was not willing to finesse that issue; hence, the proposal might prove to be a non-starter. However, if Peking refrained from injecting the Taiwan issue or raised it in a manner which appeared negotiable, this would be a good indication of Peking's willingness to be flexible.

Two key factors which would influence Peking's reaction would be the state of US involvement in Indochina, and developments regarding possible PRC entry into the UN. If the PRC saw satisfactory movement in these areas, it might then be more inclined to respond favorably to the possibility of a suggested renunciation of force agreement.

From our viewpoint, little or nothing would be lost if Peking rejected the proposal, especially if this were done in the privacy of the Warsaw talks. Whether accepted or not, a US initiative in this direction might be perceived by Peking as a serious move on our part to offset its concerns over our actions in Indochina and to signal our intention of securing a stable settlement in East Asia. Peking's response might give a measure of its concerns and the direction of its policy toward us.

B. Other Asian Reaction

1. Effect on GRC. The GRC would oppose such an agreement and press hard for further assurances that it would not alter the US commitment under the Mutual Security Treaty. Taipei might feel compelled to assert publicly that such a declaration did not circumscribe its own freedom of action.

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We could point out that although the agreement was silent on the question of Taiwan, it would be politically difficult for Peking to join in such a declaration and then do an apparent about face and seek to employ force against Taiwan. We could also point out that the agreement did not in fact alter our commitment to Taiwan and that Peking was under no illusions in this regard.

2. Effect on other Asian states. Other Asian allies are already experiencing some concern over the reduction of the US presence in Asia. They would probably want reassurance that the agreement did not affect our commitment to them, and we should be prepared to provide such reassurance. At the same time, we should stress the general advantages for stability in the area of improved US/PRC relations, and the specific advantages to the PRC's neighbors of placing Peking in the position of having to violate the declaration if it embarked on the threat or use of force. At least some Asian allies might see merit in these arguments.

The reaction of Japan would require particular attention. If discussion of a US-Chinese renunciation of force agreement were undertaken without adequate preparation and advance consultation with the Japanese, it could inspire distrust of our motives, stimulate anxieties about the future of US-Japanese security ties, and precipitate displays of undesired forms of independence in their defense and foreign policy. These negative reactions could be mitigated, however, if the Japanese were carefully prepared for the prospect of such discussions. Although any gesture designed to improve US relations with Peking will occasion complications in the domestic political calculations of the GOJ, so, for that matter, does the persistence of confrontation. A renunciation of force agreement might provide the Japanese public with some additional reassurance against the real or imagined threat of Chinese nuclear blackmail.

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It is possible that Japan and other Asian allies might wish to "multilateralize" the agreement by arriving at similar agreements with the PRC. There is no apparent reason why the US should object to this.

C. Soviet Reaction. The proposal would not directly conflict with any of our objectives in SALT. Moreover, we would not wish to permit the Soviets to introduce political linkage into SALT, or permit them to use SALT -- or negotiations on other fronts -- to determine our policy toward the PRC.

To the extent that actual achievement of such an agreement between the US and PRC might tend to keep the Soviet Union somewhat off-balance, both the US and the PRC might find that effect useful.

D. Domestic Reaction. It is possible that some critics of US involvement in Asia might seek to portray the agreement (if it were actually concluded) as reducing the need for US commitments to Asian countries and for the capabilities necessary to support such commitments. On the other hand, such an agreement (or the effort to achieve one) would represent a further demonstration of the Administration's desire to effect a more workable relationship with the PRC. This should be well-received, and public understanding of the Administration's efforts to improve stability in the region through political means might, overall, help counter criticism of continuing US involvement.

IV. Question of Linkage with Troop Reduction - Withdrawal Issue

Troop withdrawals from Taiwan would improve the prospects for any move to better US-PRC relations. However, there would be no advantage to making a direct link between a renunciation of force agreement and the question of reduction or withdrawal of US forces from Taiwan. Our military forces on Taiwan are there in large part to support operations in Southeast Asia. We believe there is no need to seek a quid pro quo from Peking for their reduction or withdrawal. Moreover, to link a renunciation of force agreement to the troop reduction-withdrawal issue might lessen our future flexibility in using bases on Taiwan if the contingency should arise.

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Any kind of linkage would have a drastic effect on the GRC if the GRC became aware of it, since the GRC would have no confidence whatever in any such renunciation by the PRC. We should take the position with the GRC that the agreement was pursued for its own merits and that it was not in itself the basis for any US troop reduction or withdrawal from Taiwan.

A renunciation of force agreement would have utility as a political symbol without being linked to the question of a reduction in US military presence in Taiwan. In fact, to make such a linkage in our initial proposal could risk detracting from its utility as a political symbol.

As a possible means of influencing Peking to postpone resolution of the Taiwan issue and move toward improved relations, troop reductions or withdrawal would be of equal value if made unilaterally (or in consultation with the GRC) and then called to the attention of Peking as an indication of US intentions. In fact, the nature of the Chinese "psyche" suggests that this approach may have greater effect than explicit linkage in negotiation.

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